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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,878	05/02/2002	Hossein Safakhah	15675P386	8077

7590

05/19/2003

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EXAMINER

LE, HOANGANH T

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 05/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
10/019,878

Applicant(s)
SAFAKHAH

Examiner
HOANGANH LE

Art Unit
2821



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 2, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

DETAILED ACTION

1. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
2. The preliminary amendment filed May 2, 2002 is acknowledged.

Claim Objections

3. Claims 6-9 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim can not depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, and 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Shriver (the US Patent No. 4,167,740, cited by Applicant).

The Shriver reference teaches in figures 1-8 a relay antenna mast for a cellular radio telecommunications system, the mast being characterized in that it comprises: a mast stand (C) ; at least one arm (D) pivotally mounted on the mast stand (C) and carrying at least one antenna (F); and means for locking the arm in a position in which the antenna(s) is/are in a high position (figure 1); the arm (D) being suitable, when the locking means are disengaged, for being tilted about its pivot axis (36) to a position in which at least one antenna is at height enabling it to be worked on by an operative at the foot of the mast. The arm (D) extends on either side of its pivot axis (36) and carries counterweight-forming means (45) on its branch opposite from its branch carrying the antenna(s). The counterweight-forming means (45) are adjustable in mass and/or in translation along the arm (figure 2). The arm (D) carries a plurality of antennas F.

6. Claims 1- 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tesson (the FR Patent No.2,684,127, cited by Applicant).

The Tesson reference teaches in figure 1 a relay antenna mast comprising: a mast stand (1) ; at least one arm (4) pivotally mounted on the mast stand (1) and carrying at least one antenna (9); and means for locking the arm in a position in which the antenna(s) is/are in a high position (figure 1); the arm (4) being suitable, when the locking means are disengaged, for being tilted about its pivot axis to a position in which at least one antenna is at height enabling it to be worked on by an operative at the

foot of the mast. Figure 1 shows a linkage comprising two elements (7,8) fixed one to the mast stand (1) and the other to the arm, one (7,8) of the elements carrying means (6) for fixing a retaining device enabling the operative to control tilting of the arm (figure 1).

The retaining device (6) is a removable device put into place by the operative prior to releasing the locking means, and subsequently removed once the locking means have been re-engaged after work has been carried out. The arm (4) carries a plurality of antennas 9.

7. Claims 1 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Bond (the US Patent No. 4,151,534, cited by Applicant).

The Bond reference teaches in figure 1 a relay antenna mast for a cellular radio telecommunications system, the mast being characterized in that it comprises: a mast stand (82) ; at least one arm (12) pivotally mounted on the mast stand (82) and carrying at least one antenna (66); and means for locking the arm in a position in which the antenna(s) is/are in a high position (figure 9); the arm (12) being suitable, when the locking means are disengaged, for being tilted about its pivot axis to a position in which at least one antenna is at height enabling it to be worked on by an operative at the foot of the mast. Figure 9 shows a platform comprising a relay antenna mast and a protective guard rail . The antenna mast and the guard rail are carried on the top of a building.

Correspondence

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Primary Examiner Hoanganh Le whose telephone number is (703) 308-4921.

9. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.

10. Papers related to Technology Center 2800 applications **only** may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Technology Center Fax Center number is (703) 308-7722 or (703) 308-7724.

Hoanganh Le
Primary Examiner
Art Unit 2821
May 15, 2003



Hoanganh Le
Primary Examiner